

# Los Angeles County Department of Regional Planning





December 23, 2015

TO:

**Hearing Officer** 

FROM:

Kristina Kulczycki

**Zoning Permits North Section** 

**SUBJECT:** Project No. R2015-00201-(5)

Conditional Use Permit No. 201500009

HO Meeting: January 5, 2016

Agenda Item: 6

The above-mentioned item is a request to reduce the required side and rear yard setbacks as specified in the Altadena Community Standards District in order to construct a second unit.

Please find additional comment letters for the above referenced item that were received subsequent to hearing package submittal to the Hearing Officer.

A copy of the conditions of approval for Conditional Use Permit No. 99-183 which authorized a side yard setback reduction to five feet along the eastern property line and 23 feet along the rear property line is also attached for your review. To be consistent with the previous approval and the recommendations of the Altadena Town Council, staff recommends that the Hearing Officer approve Conditional Use Permit No. 201500009 with a side yard setback of five feet rather than the requested three-foot side yard setback. This will require the applicant to redesign the second unit to comply with a five-foot side yard setback.

#### SUGGESTED APPROVAL MOTION:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER 201500009 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS WITH THE ALLOWANCE OF A FIVE-FOOT SIDE YARD SETBACK AND A 19.5-FOOT REAR YARD SETBACK.

If you need further information, please contact Kristina Kulczycki at (213) 974-6443 or kkulczycki@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:KK

Enclosures: Conditions CP 99-183 and additional comments

#### **CONDITIONAL USE PERMIT NO. 99-183-(5)**

- 1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
- 2. This grant shall not be effective for any purpose until the permitted and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant.
- 3. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
- 4. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
    - The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
- 5. This grant will expire unless used within 2 years from the date of approval. A one year time extension may be requested in writing before the expiration date.
- 6. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.

#### CONDITIONAL USE PERMIT NO. 99-183-(5)

- 7. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions.
  - If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.
- 8. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
- 9. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless otherwise set forth in these conditions or shown on the approved plans.
- 10. Provisions shall be made for all natural drainage to the satisfaction of the Department of Public Works.
- 11. The subject property shall be developed and maintained in compliance with requirements of the Los Angeles County Department of Health Services. Adequate water and sewage facilities shall be provided to the satisfaction of said department.
- 12. The subject property shall be developed and maintained in substantial compliance with the plans on file marked Exhibit "A". In the event that subsequent revised plans are submitted the written authorization of the property owner is necessary.
- 13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.
- 18. This grant allows for modifications of the setback requirements for the expansion of a single-family home, subject to the following restrictions as to use:
  - a. A minimum 20' front yard setback shall be maintained;
  - b. A 3' west side yard setback and a minimum 5' east side yard setback shall be maintained;

# CONDITIONS Page 3 of 3

## **CONDITIONAL USE PERMIT NO. 99-183-(5)**

- c. A minimum 23' rear yard setback shall be maintained;
- d. The maximum allowed height of the residence shall be 30 feet;
- e. Two on-site vehicle parking spaces, together with a maneuvering area/driveway shall be provided;
- f. Recreational vehicles, motor homes, and trailers are prohibited from parking within any required yard/setback area; and
- g. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of liter all areas of the premises under which the permittee has control.

JRG:MBM:mbm 3.2.00

Date: Dec. 22, 2015
Name: Patricia d'Inaglor
Address: 3297 Raurice Ave.

Phone: 626 797 9608

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it does not affect the surrounding properties and community to any detriment or negative way, I see no reason, but for the approval of a C.U.P for this property.

Sincerely,

Fetricia a Traylor

Date: Jee 22-15
Name: Mary LBluefor Cl
Address: 27 & marathon Cl

Phone: 798-7539

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it does not affect the surrounding properties and community to any detriment or negative way, I see no reason, but for the approval of a C.U.P for this property.

Sincerely, Mary L Blugard

Date: /1/22/2015

Name: Allison P. BEDELL

Address: 3267 N. FAIROAKIST ALTADENA, CALIF, 91001

Phone: 626 398-437/

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it will affect the surrounding properties and community, I see no reason, but for the approval of a C.U.P for this property.

Allewriff Beolog Sincerely,

Date: /2/22/2015

Name: JAMES BEDELL

Address: 481 E LAS FLORES
ALTADENA, CA 91001

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it will affect the surrounding properties and community, I see no reason, but for the approval of a C.U.P for this property.

Sincerely,

Date: 12-22-15

Name: Exercitive L. Brooks

Address: 1136. Marathon Rd.

Phone: 626-797-4358

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it does not affect the surrounding properties and community to any detriment or negative way, I see no reason, but for the approval of a C.U.P for this property.

Sincerely, Dérother S. Brooks



DATE: DECEMBER 22,2015

YOUR NAME: FINA L. JONES

WHERE YOU LIVE: 3375 Awara Motological

PROJECT NUMBER: R2015-00201-(5)

WHY YOU SUPPORT THE PROJECT:

I SUPPORT THE PURPOSED CONTRUCTION PROJECT OF A SECOND UNIT AT 91 WAPELLO ST, IT WILL BE A POSITIVE PROJECT TO THE COMMUNITY.

SINCERELY, Som - P. Jones YOUR NAME:

OPTIONAL: PHONE # (626) 7947613

DATE: 12-22-015

YOUR NAME: Manuel Manan

WHERE YOU LIVE: 33 87 ALICIA AUE MAADIANCE
PROJECT NUMBER: R2015-00201 (E)

# WHY YOU SUPPORT THE PROJECT:

I SUPPORT THE PURPOSED CONTRUCTION PROJECT OF A SECOND UNIT AT 91 WAPELLO ST, IT WILL BE A POSITIVE PROJECT TO THE COMMUNITY.

SINCERELY,

YOUR NAME: MNUEL-NAUATION OPTIONAL: PHONE # 626 79( 670)

From:

louanann@aol.com

Sent:

Monday, December 21, 2015 7:04 AM

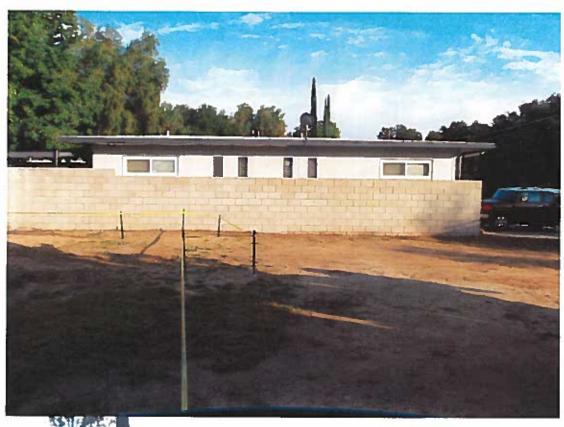
To:

billy.malone@altadenatowncouncil.org; Kristina Kulczycki;

Subject:

Attachments:

okorie.ezieme@altadenatowncouncil.org
RE:C.U.P AT 91 WAPELLO ST-PICS-2
DSCF8128.JPG; DSCF8122.JPG; DSCF8161.JPG; DSCF8159.JPG; DSCF8141.JPG









From:

louanann@aol.com

Sent:

Monday, December 21, 2015 7:01 AM

To:

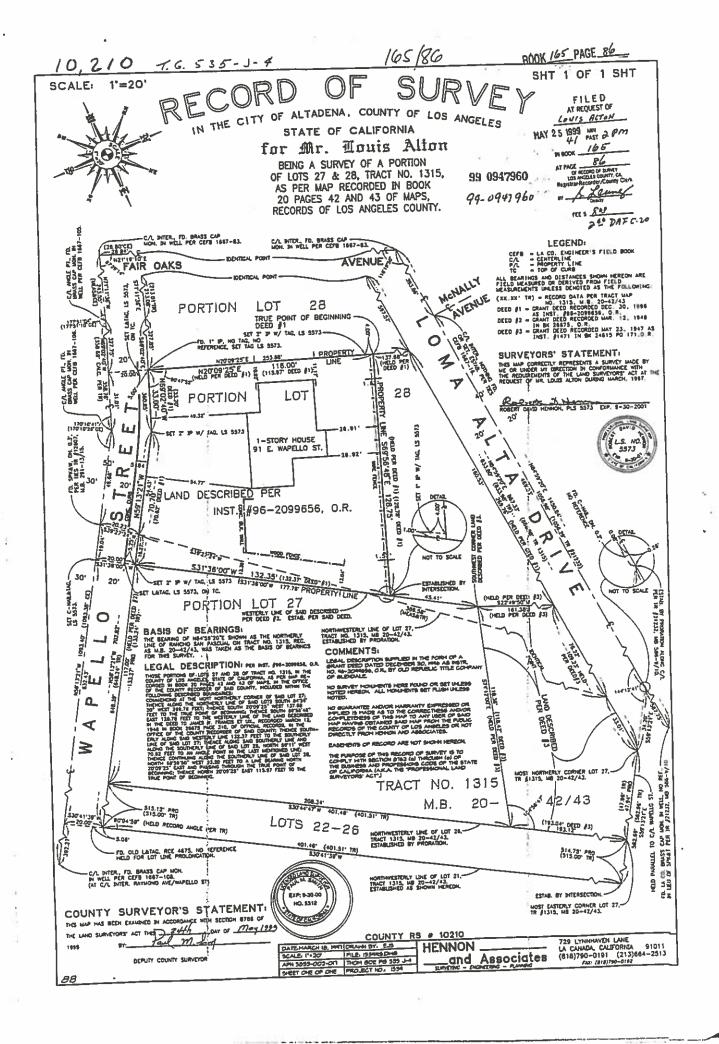
billy.malone@altadenatowncouncil.org; Kristina Kulczycki;

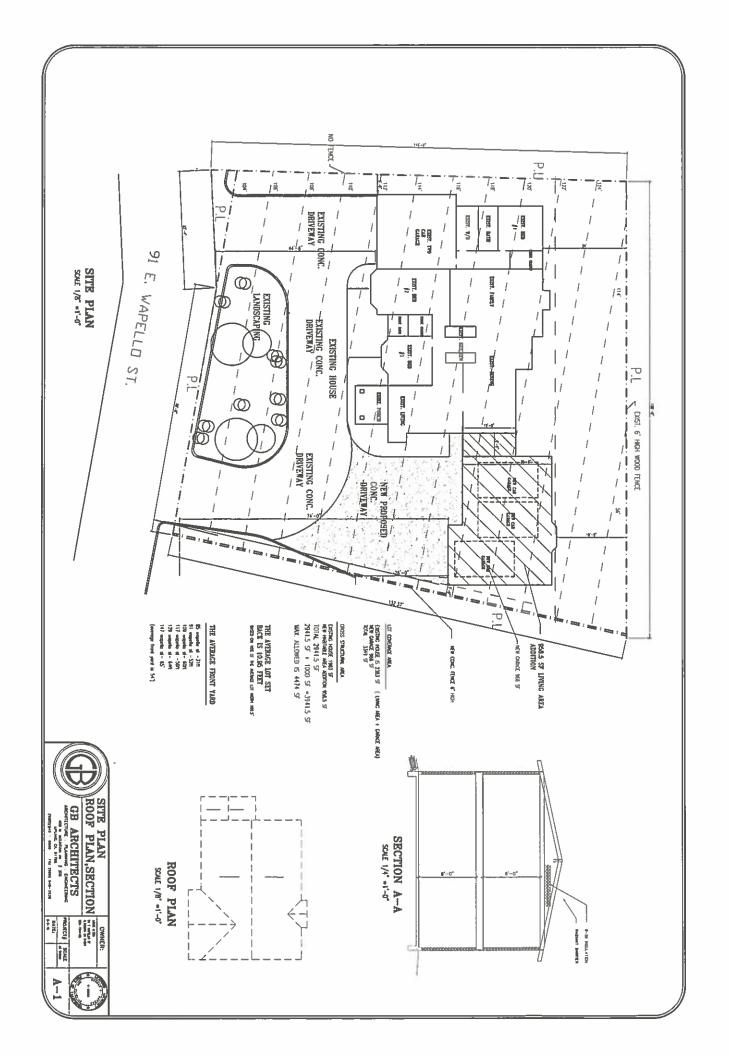
okorie.ezieme@altadenatowncouncil.org RE:C.U.P AT 91 WAPELLO ST-PICS-1

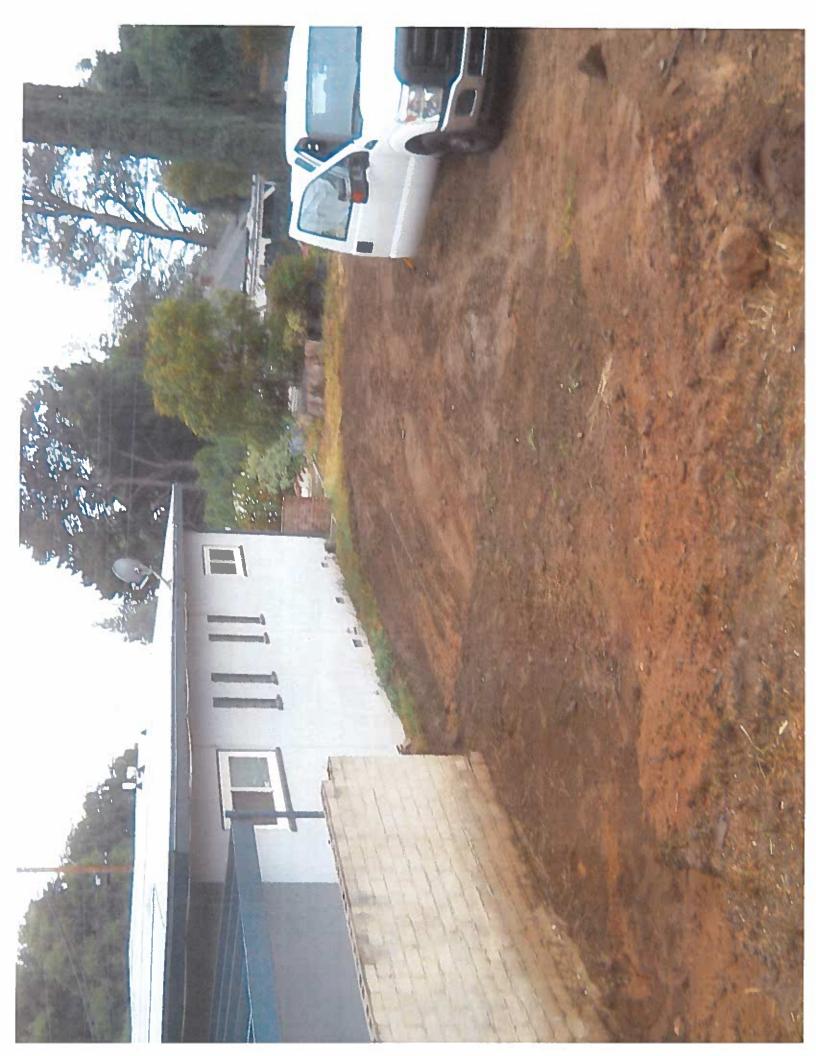
Subject:

Attachments:

OceTDS-00014672-RECORD OF SURVEY.pdf; site\_plan\_11-23-15-WITH BLOCK WALL.pdf; DSCN3936.JPG; DSCN9320.JPG; 20151103\_115557.jpg











From:

louanann@aol.com

Sent:

Monday, December 21, 2015 6:54 AM

To:

Kristina Kulczycki; billy.malone@altadenatowncouncil.org;

okorie.ezieme@altadenatowncouncil.org

Subject:

RE:C.U.P AT 91 WAPELLO ST

THE BLOCK WALL WAS INSTALLED ON THE PROPERTY LINE PER THE RECORD OF SURVEY.

THERE WAS A PARTIAL BLOCK WALL ON THE PROPERTY LINE THAT EXISTED FOR OVER FIFTY YEARS.

THE SECOND UNIT WILL SIT BACK 26-1/2 FEET FROM THE FRONT OF THE HOUSE AT 109 WAPELLO ST, AND WILL BE IN LINE WITH ONLY ONE WINDOW AT THE REAR OF THE PROPERTY. THE SECOND UNIT WILL HAVE NO WINDOWS ON THE EAST SIDE OF IT AND WILL HAVE FIRE RATED FINISH.

Thank you Louis Alton TO: KKulczycki@planning.LACounty.gov

Cc: Billy.Malone@AltadenaTowncouncil.org

Bcc: Louanann@aol.com

From: murtcaro@charter.net

Project # R2015-00201-(5), 91 E Wapello St., Altadena, CA

Date: Nov. 30, 2015

From: Carole Miller, 86 E Loma Alta Dr., Altadena, CA

To: K Kulczy, Planning, LA County

Project # R2015-00201-(5), 91 E Wapello St., Altadena, CA

I visited the proposed addition area to the home at 91 East Wapello St., Altadena, reviewed the plan for building a 3 car garage on the ground level with bedrooms on the 2nd floor above the garages and I am for the proposed construction.

Sincerely,

Carole Miller

86 E Loma Alta Drive

Altadena, CA 91001

626-791-5518

Date: 12-19-15

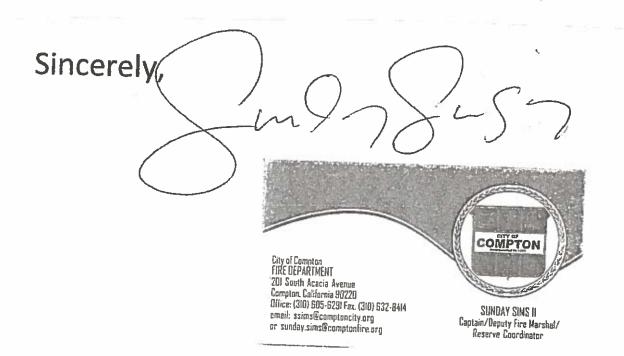
Name: SUNDAY SIMS TA

Address: 2976 N. FAIR DALLS AUG

Phone: 626 831-1761 cell

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it does not affect the surrounding properties and community to any detriment or negative way, I see no reason, but for the approval of a C.U.P for this property.



Date: 1)cc. 20, 2015

Name: Ray Mond of Linda King Address: 613 Alameda St. Altadena CA 91001

Phone: 626-806-6516

PROJECT NUMBER: R2015-00201-(5)

After reviewing the setbacks and how it does not affect the surrounding properties and community to any detriment or negative way, I see no reason, but for the approval of a C.U.P for this property.

From:

Anne Chomyn [annechomyn@gmail.com]

Sent:

Friday, December 18, 2015 8:35 PM

To:

Kristina Kulczycki

Subject:

91 wapello - clarification

#### Dear Kristina,

In my last email, I mentioned my position on the Land Use Committee by way of establishing that I was very familiar with the case. I did not intend to speak for the Land Use Committee in any way. I hope you will take my comments as those of a concerned citizen of Altadena.

Thanks,

Anne

Anne Chomyn, Ph.D. CT4601 626-798-2965

Subject:

FW: CUP application for 91 Wapello in Altadena - Project No. R2015-00201-(5)

From: Diane Marcussen [mailto:dmarcussen@aol.com]

Sent: Friday, December 18, 2015 4:45 PM

To: Kristina Kulczycki

Subject: Fwd: CUP application for 91 Wapello in Altadena - Project No. R2015-00201-(5)

Kristina,

Please consider this feedback from Anne as a private citizen and not as an ATC member as the ATC as a whole did not take a vote on this item so it does not represent the majority vote.

Please let me know if you have questions or need to discuss.

Diane Marcussen Chair, Altadena Town Council 626-296-6633 altadenatowncouncil.org

From:

Anne Chomyn [annechomyn@gmail.com]

Sent:

Friday, December 18, 2015 4:28 PM

To:

Kristina Kulczycki

Cc:

Diane Marcussen; Billy Malone

Subject:

CUP application for 91 Wapello in Altadena - Project No. R2015-00201-(5)

Follow Up Flag: Flag Status:

Follow up Completed

Dear Kristina,

I am on the Altadena Town Council Land Use Committee, and am familiar with the CUP application. I have gone to 91 Wapello twice to have a look at the house and at the neighborhood. Since you have a hearing planned for January 5, and the Altadena Town Council has not voted and will not have a chance to vote on the application for the CUP before January 5, I wanted to let you know my opinion on the permit application. I recommend denial of the CUP. Permitting a reduction in the required side yard and rear yard setbacks on new construction sets a bad precedent. Also, the previous CUP, which was given for a narrow side yard setback on the west side of the property, stated that the east side of the property should have a minimum 5 foot side yard setback.

Besides deviating from the CSD, the requested minimal side yard setback would give the appearance of mansionization. Besides the great width of the house, the existing two garages, and the planned garages, the house and planned addition are also tall, 20 feet. Furthermore the planned three garages would bring the total to five garages, all facing the front of the property. This will make the property look like an apartment complex. This neighborhood is zoned for single family residences only.

Thank you for your consideration.

Sincerely,

Anne Chomyn, Ph.D. Altadena Town Council Member CT4601 626-798-2965

Subject:

FW: 91 Wapello, Altadena - Project No. R2015-00201-(5)

From: Diane Marcussen [mailto:dmarcussen@aol.com]

Sent: Thursday, December 17, 2015 9:06 AM

To: Kristina Kulczycki

Cc: okorie.ezieme@altadenatowncouncil.org; billy.malone@altadenatowncouncil.org

Subject: Re: 91 Wapello, Altadena - Project No. R2015-00201-(5)

#### Kristina,

Billy has summarized our concerns very well and has done a comprehensive evaluation of the applicant's efforts regarding burden of proof. In each case, we have determined that the examples are not applicable to his project request. I know that Billy has provided you with that detail over the course of his work on the project.

As a committee, we discussed all of the points with the applicant on several occasions. The committee made suggestions regarding compromises and also made suggestions about possible design changes so that he could at least comply with the setbacks outlined in the previous CUP (although those were exceptions to the existing code as well). After all of these discussions with the applicant and his lack of willingness to revise his request, our committee was faced with requesting that the application be denied rather than have such extensive exceptions to the setbacks which cause the structure to impose on the neighbors unneccesarily. Since this action seemed to be extreme we hesitated to take make that request of your office. Therefore, we did not come to a point where we could vote on the item at our last meeting and, therefore, the item has not yet come before the Altadena Town Council for a vote.

If the applicant had designed his project originally to comply with the previous CUP then the item would not have had to come before the Altadena Town Council at all. As a result, If your office determines that the setbacks outlined in the previous CUP should be upheld then our community will be satisfied with that outcome and no further action will be needed from our organization.

However, if you believe that the Regional Planning Commission would be inclined to approve the additional setbacks as requested in the project number listed above then I would respectfully request that the item be continued to the February 2, 2016 RPC hearing date so that the Altadena Town Council can do a final review the project and vote at our January 5, 2015 Land Use Committee meeting and the January 19, 2015. This will allow us to give you our official position on the item.

Thanks so much for your patience and professionalism with which you have interacted with both Billy and me on this matter. It has been greatly appreciated!

Please let me know if you have questions or need to discuss anything with me.

Regards,

Diane Marcussen Chair, Altadena Town Council 626-296-6633 altadenatowncouncil.org

From: Sent: Billy Malone [ban1997@sbcglobal.net] Thursday, December 17, 2015 12:18 AM Kristina Kulczycki; Diane Marcussen

To: Cc:

Okorie Ezieme

Subject:

91 Wapello, Altadena - Project No. R2015-00201-(5)

Hi Kristina,

I have outlined the basic concerns that became topics of discussion from Altadena Land Use Meeting 12/01/15.

What's the difference between attached and detached? This proposed second unit is only attached by a covering over a walkway/breezeway, with no access to either unit within this walkway. If the second unit is detached then to comply with standards it would need to be one story and no greater than 17 feet in height, this structure is 20' in height. If however the unit is considered attached then the hearing officer from 2000 issued a CUP stating "for a reduction of 3' on the west side then an east side yard setback of no less than 5' and a rear yard setback of no less than 23' should be maintained". East side being the current setback in question. If the applicant is indeed applying for an attached unit then the CUP application is not in fact requesting a variation on the CSD but in fact a variation on an existing CUP issued by a previous hearing officer. It was pointed out that it looked like the applicant was trying to get the most building possible by using the advantages of both options, attached and detached second units. It's either one or the other not both. Height and setbacks.

Setting precedence. By allowing such a large variation to the current CSD, side yard set back from 10.9' down to 3' and rear yard setback from 25' down to 19' this will allow for future projects to use this CUP as a comparable. The applicant himself showed up with 2 comparable CUP's that were recommended by the ATC in the past. However, it was pointed out that neither of the examples were good comparable. One was for approval of an existing unit that had been built many decades ago and that county knew of the unit, it was approved out of need. The second example was a Victorian on a flag lot and the CUP reduction actually increased the rear set back from 3' to 6'.

One neighbor to the rear and adjoining, spoke at the LUC meeting stating that there was an issue with potential sewer lines, the homes above, to the north and adjoining are not yet on sewer, and when the time came where were the sewers going to be placed, possibly through to Wapello? She was also concerned about water run-off, from her property, with El Nino coming, and felt that should be resolved before approving this second unit.

It was also mentioned that the county did notify neighbors within the correct radius. However most of the letters that were submitted in favor of the project were from outside of this radius and most likely contacted by the applicant themselves. This is not a true indication because no out-reach has been done to allow other voices from the community outside of that radius. The letters of approval from outside the radius are bias if they are from only the applicants friends and no one else has had chance to respond.

Another concern that was brought to me separately was about the garages. By allowing so much garage space, which is not a requirement for this second unit, on the first level of this structure, could become a problem. Even though the applicant may have good intentions, if for some reason he has to sell in the near future there is a strong possibility that the second unit could easily be transformed into either a 2 story home or conversion to 2 units, as has been seen elsewhere in the area. Hench why the need for 5 garages? 5 garages are not consistent with the neighborhood and has the potential of code violations in the future.

Thank you for your help in this matter.

Billy Malone

#### 10 December 2015

from: Mark Goldschmidt

2485 Marengo Ave. Altadena 91001

email: mgdesign@sbcglobal.nete

to: Kristina Kulczycki

Regional Planning Assistant II

**Zoning Permits East** 

Los Angeles Department of Regional Planning

320 Temple St., Los Angeles 90012

re: Conditional Use Permit Application for 91 E. Wapello St., Altadena

Project number: R2015-00201-(5)

Conditional Use Permit Number: 201500009

Dear Ms Kulczycki,

I have been engaged for almost three years as a participating member of the Altadena Town Council Subcommittee tasked with reviewing and recommending changes to the Altadena CSD. A conditional use permit for a second unit at 91 Wapello has recently come to my attention, and I am writing to voice my opposition to this project. I am a resident of Altadena, residing at 2485 Marengo Ave. (since 1986), though not within the 500 foot notification radius.

1. The preamble of the Altadena CSD reads:

**Intent and Purpose**. The Altadena Community Standards District ("CSD") is established to ensure that new and expanded structures are compatible in size and scale with the characteristics of surrounding residential neighborhoods, protecting the light, air, and privacy of existing single-family residences from negative impacts.

This project proposes to create a solid phalanx across the 109' lot width, with setbacks under 5 feet on <u>both</u> sides. Beyond grossly violating the standard County minimum setbacks, the proposed project violates the very purpose of the CSD ordinance as quoted above.

2. Regarding side setbacks on this property, the Altadena CSD clearly states the following:

Each side yard shall not be less than 10 percent of the average width of the lot or parcel, but in no case less than five feet for interior and corner side yards and 10 feet for reverse corner side yards.

Lot width on the street side at 91 Wapello is 128 feet 8 inches at the rear, and 104 feet (33'-4" + 70'-8" per owners' site plan), for an average of 116 feet 4 inches. Thus, setback is required to be a minimum of ten feet; there is no ambiguity here at all.

3. Rear setback for a lot of this size is mandated to be a minimum of 25 feet. No ambiguity here, even though owners somehow obtained permission in 2000 to build to within three feet of the westerly property line.

- 4. The Town Council-appointed CSD subcommittee, with which I have been working for the past three years, has discussed modifying setback requirements at length, but has concluded that our citizen predecessors who struggled, as we have, to draft the original CSD had the right idea. We have discussed the possibility of slight modifications to the side setback rule in hardship cases, where an owner wishes to extend an existing home, but in no case should the setback be less than five feet.
- 5. There is no hardship on here to justify granting a Conditional Use Permit. If owners feel the need of a second unit (which is permissible), there is ample room on their lot to design a unit that complies fully with CSD setbacks requirements.
- 6. In Altadena it is common for garages to be illegally converted to living space. As code enforcement following construction is quite lax in Altadena, there is little to prevent owners from turning the second unit into a second home of almost 2,000 square feet by dry-walling the three-car garage. This would exceed the State-mandated limit of 1200 square feet for a second unit in an R1 neighborhood. Note that the second unit requires only a single extra parking space, but combined with the existing garage a total of 5 covered spaces will be created. Only a single additional space is required for a 5 bedroom house or a second unit.
- 7. Please note the vast area to be rendered impermeable by existing and proposed concrete driveways, which, when combined with existing and new structures will render most of the lot impermeable. The enormous expanse of concrete driveways and aprons will be reflective and hot in the summer, and in the rainy season will ensure that no water penetrates the ground, but is shifted instead to the street and our storm sewers. While there is no ordinance I know of that prohibits this, the huge paved area will constitute an eye-sore for the neighborhood, is inconsistent with the appearance of the neighborhood, and should be taken into account when considering a CUP.

Sincerely,

#### Mark Goldschmidt

Cc: Sussy Nemer, Senior Deputy, Office of Supervisor Michael D. Antonovich Edel Vizcarra, Los Angeles County Planning, 5<sup>th</sup> District Diane Marcussen, Chair of the Altadena Town Council Billy Malone, Altadena Town Council Representative for CT 4602

From: Sent:

Billy Malone [ban1997@sbcglobal.net] Tuesday, December 01, 2015 4:19 PM

To:

Diane Marcussen; johnewhitejr@sbcglobal.net; psutherlen@gmail.com;

michellemartinezforATC@gmail.com; jenniferhlee@earthlink.net; g.san@sbcglobal.net; dlhobdyesquire@aol.com; djmatthews@att.net; jessica.mack@sce.com; glendrogin@att.net;

oezieme@ngokconsultants.com; sylviavega4613@gmail.com;

dean.cooper@altadenatowncouncil.org; justin.robertson@altadenatowncouncil.org;

anne.chomyn@altadenatowncouncil.org

Cc:

Kristina Kulczycki

Re: LUC Ref: 91 Wapello, Altadena - Project No. R2015-00201-(5)

Subject: Attachments:

5 ft setback 2015-12-01 14\_45\_59-r2015-00201.png; 1917\_SINALOA-CUP.pdf; plan

view.png; pro con map locations.html; r2011-00934\_ho-package (1).pdf

## More Updates.

A section from the 2000 CUP application (which was a reduction of the west side clearance to be 3') where the hearing officer states that a minimum clearance of 5' be kept on the east side. Today it is a request for 3' on west side.

Also one more plan view for your records.

Too much pronting and my printer is playing up so please print out what you need and bring back package I handed out last time.

Also 2 previous CUP's approved by LUC, that applicatant submitted to county as evidence that we have already approved structures like this one.

Also a big thank you to ANNE for supplying a map of all correspondence locations, both for and against.

See you tonight.

Billy Malone

From:

louanann@aol.com

Sent:

Tuesday, December 01, 2015 12:15 AM

To:

billy.malone@altadenatowncouncil.org; Kristina Kulczycki; ban1997@sbcglobal.net

Subject:

RE:C.U.P AT 91 WAPELLO ST

Attachments:

1917\_SINALOA-CUP.pdf; r2011-00934\_ho-package.pdf

Here are similar projects that the town council approved of, were the setbacks did not adversely affect the neighborhood.

Thank you

Louis Alton

From: Sent: Billy Malone [ban1997@sbcglobal.net] Monday, November 30, 2015 9:26 PM

To:

Diane Marcussen; johnewhitejr@sbcglobal.net; psutherlen@gmail.com;

michellemartinezforATC@gmail.com; jenniferhlee@earthlink.net; g\_san@sbcglobal.net; dlhobdyesquire@aol.com; djmatthews@att.net; jessica.mack@sce.com; glendrogin@att.net;

oezieme@ngokconsultants.com; sylviavega4613@gmail.com;

dean.cooper@altadenatowncouncil.org; justin.robertson@altadenatowncouncil.org;

anne.chomyn@altadenatowncouncil.org

Cc:

Kristina Kulczycki

Subject:

LUC Ref: 91 Wapello, Altadena - Project No. R2015-00201-(5)

Attachments:

20151130\_150745\_resized.jpg; 20151130\_150814\_resized.jpg; Land Use Agenda December

2015.pdf

Hi All,

Since last months LUC meetig I have recieved so many letters in support for this project.

Tomorrow nights vote will be on whether we approve or not, a reduction in setbacks, to 3' on the side and 19' in rear

I have summarized a few facts below.

The most impacted is the next door neighbor, on the East side, that seems to have many code violations themselves. Does take away some of their credibility to complain? However they are not happy with the proximity of the reduced CUP.

I summarized below correspondence and their main points. Everyone on this list has been informed of tomorrow nights vote. Also the closets 30 homes to the property were also informed by flyer of tomorrow nights vote.

If you would rather see the original letter instead of the summary I have linked the LA county documents: <a href="http://planning.lacounty.gov/assets/upl/case/r2015-00201">http://planning.lacounty.gov/assets/upl/case/r2015-00201</a> ho-memo 20151102.pdf

http://planning.lacounty.gov/assets/upl/case/r2015-00201 ho-memo 20151029.pdf

For those who were not able to go by the property and see for themself the rope area for the unit footprint I have attached a picture and another picture of the nieghbors house, most impacted.

Any questions, concerns or otherwise please let me know.

Thank you in advance and hope you all had a great thanksgiving.

Billy

#### Pro

12 letters total.

About 4 of the properties listed are not close to property. (1, 3, 5, 8?)

#### Cons

#### 5 letters total

Steve Haussler (4) is from outside of the area but sat on LUC for long time.

#### **Positive letters**

- 1. D smiley 52 venture, will enhance the neighborhood and improve property values dasmiley4@hotmail.com
- 2. Carmelita H Hearn 3545 N. Fair Oaks Ave visited site, reviewed plans, will continue to improve the neighborhood. Contact 626 319 2289
- 3. Bennie McLemore- 483 E. Poppyfields Dr, positive project to the Altadena Community. Contact <u>-</u> angelamclemore21@yahoo.com 626 791 9056
- 4. Vickie Thompson across the street 80 Wapello positive addition to the neighborhood garages will keep cars off the street vithompson@charter.net 626 794 8697
- 5. Jaqueline Stribling 386 Alameda ST. viewed plans add value and keeps in style with neighborhood contact 626 818 2716 mcstrib@att.net
- 6. Glendar Haskin 3392 Fair Oaks Ave transformed property into a beautiful home, benefits the neighborhood and values, favor of project contact glendar 731@gmail.com
- 7. Louise J Eldridge 602 Bel-Air Dr, visited site, reviewed plans, improves neighborhood contact 626 791 3264 was transcribed v/m
- 8. Robert Dixen 420 Alta Pine Dr,- built with high standards, increase values, beautify the neighborhood contact 626 255 9657
- 9. Debra and Chandler Qurtman 326 E. Loma Alta Dr, visited site reviewed plans, improves neighborhood contact sumtdq@yahoo.com 626 798 2789
- 10. Gloria McKinney 184 Wapello visited site, reviewed plans, will continue to improve neighborhood contact pasadenarosebud@yahoo.com
- 11. Adolph and Kim LaBomme 3296 Laurice Ave, improves the value and look of the neighborhood contact klabomme 1@msn.com 626 794 1924
- 12. Andrea Drawn Drawn Reality-Broker/Owner 2660 N. Lake Ave, Unit 9, Altadena reviewed plans and approves project adrawn19@gmail.com 213 359 6886

#### **Negative Letters**

- 1. Douglas and Monica Simkins next door 107 Wapello owns property but lives in Virgina diminish property values, why 5 garages, privacy, potential of noise, aesthetics of such large structures visible from our property and from street.
- 2. Dan and Claudine Voznick 3378 N. Fair Oaks 323 528 8268 2 story, looms over neighbor (not them), other properties in area that do not conform are built before CSD's, number of garages excessive.claudine.gueniot@sbcglobal.net or <a href="mailto:chezvoz@sbcglobal.net">chezvoz@sbcglobal.net</a>
- 3. Jim Downer 120 E. Loma Alta Son of mother who lives in home behind Do not think he lives there but out of area mother encroaches closer to rear line property, compromise privacy, objects to encroachment contact <a href="mailto:ajdowner@ucanr.edu">ajdowner@ucanr.edu</a>
- 4. Anne Dickinson no address listed setting precedent mansionization had to comply with county code themselves. contact email annejdickinson@gmail.com
- 5. Steve Haussler no address side set backs 3' vs 10'+, whether 2<sup>nd</sup> unit provision even apply within CSD contact 626 844 2245

NOTES: The two story was questioned, however it is at 20' to roof line of the main house, single story, has a matching roof line of 20' accompliced by having a larger rake on the roof. If the garages were removed to make second story it is possible that the roof line would still not change and would still be 20' matching

main house. One neighbor likes the fact of the 3 garages because it takes parking of the street. This is a neighbor opposite the property.

Even though the CSD states the min set back should be 10.95' for this property the CUP from 2000 states east side yard setback can be 5' min. This must have been a mistake in 2000 but I think it opens up an argument that the hearing officer allowed the set back of 5' for this location on the east side. The CUP from 2000 permit # 99-183-(5) states:

This grant allows for modifications of the setback requirements for the expansion of a single-family home, subject to the following restrictions as to use.

- a. A minimum 20' front yard setback shall be maintained;
- b. A 3' west yard setback and a minimum 5' east side yard setback shall be maintained;
- c. Minimum 23' rear yard setback shall be maintained;
- d. D. The maximum allowed height of the residence shall be 30 feet;
- e. Two on-site vehicle parking spaces, together with a maneuvering area/driveway shall be provided;
- f. Recreational vehicles, motor homes, and trailers....

From: Sent: Billy Malone [ban1997@sbcglobal.net] Monday, November 30, 2015 7:02 PM

To: Cc:

louanann@aol.com Kristina Kulczycki

Subject:

Re: C.U.P AT 91 WAPELLO ST

Ref: 91 Wapello, Altadena - Project No. R2015-00201-(5)

Dear Louis Alton,

I am sending you a remnder of the Land Use Committee meeting tomorrow night, December 1st, at the Altadena Community Center 7pm, in case you wish to return.

I am copying below a notice that was sent to everyone that has sent any kind of comments to myself and/or county.

Sincerly

# Billy Malone

Tuesday December 1<sup>st</sup>, 2015 the Land Use Committee will be meeting for its monthly meeting at its usual time of 7pm. Held at its usual location, Altadena Community Center, 730 E. Altadena Drive, Altadena 91001

One of the items up for a vote on this month's agenda is the application of a CUP for 91 Wapello (Project No. R2015-00201-(5)) This project is an existing single-family residence proposing to build a new two-story second unit with a reduced 3-foot side yard setback and 19.5-foot rear yard setback. This project is located in the R-1-10000 (Single-Family Residence, 10,000 minimum sf. lot size) and the Altadena Community Standards District.

As a reminder this is <u>not</u> an issue about approval for a second unit. Assuming the second unit is built, this is about whether a CSD variance should be allowed (3' side and 19" rear) in this case and what future influences that may have on other

developments requesting CSD variances. Another consideration is if these variances would directly impact light, air, or enjoyment of neighboring properties.

A reduction in setbacks is a variance to our current Community District Standards. If you have concerns either for or against the reduction of these set backs in regards to this particular project you are invited to come to the Land Use Committee meeting and participate in public comments. If you have questions please contact either

Billy Malone - Billy.malone@altadenatowncouncil.org

626 657 0292

Okorie Ezieme - Okorie.ezieme@altadenatowncouncil.org

In addition to Land Use, this project will still be going to a Hearing at county level where further concerns can also be addressed.

From: "louanann@aol.com" <louanann@aol.com>

To: billy.malone@altadenatowncouncil.org
Sent: Saturday, October 24, 2015 1:33 PM
Subject: RE:C.U.P AT 91 WAPELLO ST

Hi, Mr. Malone I was wondering if you could give me your phone #, so that we can talk and also if you would have anytime next week to come by my home.

Thank you for you time

Louis Alton

From: Sent: Billy Malone [ban1997@sbcglobal.net] Monday, November 30, 2015 6:37 PM

To: Cc: angelamclemore21@yahoo.com Kristina Kulczycki; Okorie Ezieme

Subject:

Fw: Ref: 91 Wapello, Altadena - Project No. R2015-00201-(5)

# Dear Neighbor,

Because you had an interest in Ref: 91 Wapello, Altadena - Project No. R2015-00201-(5)

Tuesday December 1<sup>st</sup>, 2015 the Altadena Land Use Committee will be meeting for its monthly meeting at its usual time of 7pm. Held at its usual location, Altadena Community Center, 730 E. Altadena Drive, Altadena 91001

One of the items up for a vote on this month's agenda is the application of a CUP for 91 Wapello (Project No. R2015-00201-(5)) This project is an existing single-family residence proposing to build a new two-story second unit with a reduced 3-foot side yard setback and 19.5-foot rear yard setback. This project is located in the R-1-10000 (Single-Family Residence, 10,000 minimum sf. lot size) and the Altadena Community Standards District.

As a reminder this is <u>not</u> an issue about approval for a second unit. Assuming the second unit is built, this is about whether a CSD variance should be allowed (3' side and 19" rear) in this case and what future influences that may have on other developments requesting CSD variances. Another consideration is if these variances would directly impact light, air, or enjoyment of neighboring properties.

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If you have questions please contact either

Billy Malone - Billy.malone@altadenatowncouncil.org

626 657 0292

# Okorie Ezieme - Okorie.ezieme@altadenatowncouncil.org

In addition to Land Use, this project will still be going to a Hearing at county level where further concerns can also be addressed.

From:

Billy Malone [ban1997@sbcglobal.net] Monday, November 30, 2015 10:44 AM

Sent: To:

Andrea Drawn; Kristina Kulczycki; billy.malone@altadenatowncouncil.org

Subject:

Re: Project No. R2015-00201-(5)

#### Hi Andrea,

I look forward to talking with you later today. The reason why I am reaching out to you is because you are a local Real Estate Broker that has shown an interest in this project and so being you would have a better understanding of the situation and how to address certain concerns.

Being in the field and the fact that you said you have reviewed the project you are more aware than most that this project is not about allowing a second unit. I believe all county requirements and the state of California allows this second unit by right. What the issue in question is the variance requested, CUP, a reduction in the side yard and rear yard variance. On this project it is for allowing the change in a side yard set back to 3.5' from property line and a rear yard set back reduction to 19'. Mr Alton at 191 Wapello seems to take care in his construction and I do not think anyone has any doubt as to the quality of this project.

One of the concerns when the CSD's for Altadena was originally set was to prevent mansionizations that are happening in other areas. Therefore one of the biggest concerns that most people have is if we allow this structure to break with our CSD standards then we have set precedence for future projects.

My question for you, knowing that this is not a second unit issue, strickly as a real estate professional in the area, in your opinion why do you approve a change in our current CSD for this project and how can we prevent this being used as a trend setter for future projects. This would really help me translate Mr. Alton's message to those who have concerns with cause and effect.

Thanks and I look forward to discussing this with you further.

Billy Malone 626 893 0787

From: Andrea Drawn <adrawn19@gmail.com>

To: kkulczycki@planning.lacounty.gov; billy.malone@altadenatowncouncil.org

**Sent:** Sunday, November 29, 2015 9:53 PM **Subject:** Project No. R2015-00201-(5)

Hello, please see attachment regarding 91 Wapello Street Altadena, CA 91001 project. Regards.

Andrea Drawn-GRI

Drawn Realty

Broker/Owner

Drawn Realty 2660 N. Lake Ave.,

Altadena, CA 91001

November 29, 2015

**Re: PROJECT NUMBER - R2015-00201-(5)** 

To Whom It May Concern, I am writing to provide my feedback regarding 91 Wapello Street, Altadena property project.

I have been a licensed Real Estate Broker primarily here in the Altadena/Pasadena area for over 30 years. I have also been a member of the Pasadena Foothills Association of Realtors for the past 30 years. Additionally, I have lived in Altadena for well over 40 years. I have seen many wonderful changes in our community and feel as though the 91 Wapello Street, Altadena project will be another improvement to our area.

I have visited the 91 Wapello Street site and previewed the project. I feel the second unit will be an asset/improvement to the neighborhood, and vote in favor of the construction of the 2<sup>nd</sup> unit on the subject property.

If you have any questions, I can be reached at: 213-359-6886. Regards,

Andrea Drawn-GRI Drawn Realty Broker/Owner BRE Lic #00921389 213-359-6886 www.drawnrealty.com

From: Sent: Glendar Haskin [glendar731@gmail.com] Saturday, November 21, 2015 7:14 PM

To:

Kristina Kulczycki

Cc:

billy.malone@altadenatowncouncil.org

Subject:

R2015-00201-(5) (The Alton Residence)

#### To Whom It May Concern:

My name is Glendar Haskin and I reside at 3392 Fair Oaks Ave. in Altadena, CA. My neighbors, Eddie and Ann Alton, who live at 91 Wapello St., have transformed a very modest house into a beautifulhome that adds much value to our neighborhood. I understand that they would like to make more improvements that will benefit the neighborhood and improve all of our home values. Therefore, I am enthusiastically in favor of this project. Thank you for your consideration in this matter.

Sincerely,

Glendar Haskin

From:

Billy Malone [ban1997@sbcglobal.net]

Sent:

Wednesday, November 11, 2015 8:23 AM

To: Subject: Kristina Kulczycki 91 Wapello

Hi Kristina,

This is the transcript of a google voice message I received in favor of the CUP at 93 Wapello. The person who left message does not have a computer so I forwarding the message. Google transcribes it slightly off but I did not want to edit it, so that it stays original and can in no way be considered influenced by me.

Mr. Malone, This is this is louise J. Eldridge, and I'm in senses track for 602 on Bel-Air drive, and I'm calling with regards to the conditional I guess use permit of the mission to to build on Lap Hello. I am a dinosaur. I do not have a computer so I was wondering how I could advise you that having visited the site and review the plan so I'm in favor of this construction, and I think it would be an improvement to the neighborhood, so if you return my call at your earliest convenience and tell me how I can communicate that to you I would appreciate it my number is 626-791-3264. Thank you.

Thank you,

Billy Malone

From: Sent: Leta Dixon [littlepianostar@yahoo.com] Tuesday, November 10, 2015 8:39 AM

To: Cc: Kristina Kulczycki

Subject:

BILLY.MALONE@ALTADENATOWNCOUNCIL.ORG Proposed Project for 93 Wapello in Altadena, CA,

Date:

November 10, 2015

To:

KKULCZYCKI@PLANNING.LACOUNTY.GOV

BILLY.MALONE@ALTADENATOWNCOUNCIL.ORG

From:

Robert Dixon - 626-255-9657

Address: 420 Alta Pine Drive; Altadena, CA.

Project No: R2015-00201-5 - 91 Wapello Street, Altadena, CA.

I am in <u>support</u> of this project because it enhances the neighborhood; which in turn increases the value of not only the property itself, but all properties that are within close proximity. Therefore, it is of benefit to all homeowners in the neighborhood.

This home has always been well maintained and has brought great value and beauty to the neighborhood even as it exists at this time. The homeowner's standards are very high so this improvement should be equally as beautiful. I can only see that it will have a positive effect for the neighborhood.

I fully support this proposed project construction of a second unit at 91 Wapello Street, and highly recommend that they been given the variance that they are requesting.

From: Sent: Debra Qurtman [sumtdq@yahoo.com] Friday, November 06, 2015 10:31 AM

To:

Kristina Kulczycki

Cc:

billy.malone@altadenatowncouncil.org

Subject:

**RE:CUP AT 91 WAPELLO** 

November 6, 2015

326 E Loma Alta Dr Altadena, CA 91001

Project Number R2015-00201-(5)

After visiting the site and reviewing the plans, I'm in favor of the purposed construction project of a second unit at 91 Wapello st,it will continue to improve the neighborhood.

Sincerely, Debra and Chandler Qurtman 626 798 2789

From:

PRACS Rosebud [pasadenarosebud@yahoo.com]

Sent:

Thursday, November 05, 2015 12:30 PM

To:

Kristina Kulczycki; billy.malone@altadenatowncouncil.org

Subject:

Re: 91 Wapello St Project

11/5/15

Gloria McKinney 184 Wapello St.

Project Number: R2015-00201-(5)

Why do I support the project?

After visiting the site and reviewing the plans, I'm in favor of the purposed construction project of a second unit at 91 Wapello St; it will continue to improve the neighborhood.

Sincerely,

**Gloria McKinney** 

Email to: kkulczycki@planning.lacounty.gov billy.malone@altadenatowncouncil.org

Bcc: <u>louanann@aol.com</u>

On Thursday, November 5, 2015 12:16 PM, PRACS Rosebud pasadenarosebud@yahoo.com wrote:

Please see attached document.

Pasadena Rosebud Academy Charter School 3544 N. Canon Blvd. Altadena, CA 91001 626-797-7704 Phone

pasadenarosebud@yahoo.com

Where Young Minds Blossom

From: Sent: Billy Malone [ban1997@sbcglobal.net] Wednesday, November 04, 2015 1:43 PM

To:

Kristina Kulczycki

Subject:

Re: 91 Wapello -- project#R2015-00201-(5)

Just forwarding another letter I received today. I would like to note that the statement of turning it from a 2 story into a one story was not a suggestion by LUC at this time. It was merely asked as a what if question by one LUC member.

Update: I think That last nights LUC meeting went well, it was a long meeting with many items and Mr. Alton was very patient and presented his arguments in a respectful manner. There was also one neighbor from across the street that also came and spoke in favor of the project during this items public comments. There were not too many questions from the committee and all questions and concerns can and will be addressed between now and Dec. LUC meeting.

Thanks for all your help in this matter.

Billy Malone

From: vickie thompson < vithompson@charter.net >

To: "billy.malone@altadenatowncouncil.org" < billy.malone@altadenatowncouncil.org >

Sent: Wednesday, November 4, 2015 1:28 PM Subject: 91 Wapello -- project#R2015-00201-(5)

#### Dear Billy,

After being at the Altadena Town Council Land Use meeting last night, I have an additional comment in support of project #R2015-00201-(5) at 91 Wapello St. While I understand & respect the Land Use Committee's desire to find a solution that will pacify the objections and allow the project to proceed, as a neighbor, I find the suggestion to eliminate the 3 car garage (and make the addition a single story), undesirable -- especially since the proposed addition will be the same height as the existing house. My preference is that garage space continue to be included in the project so that any additional vehicles at that address have a place to park, rather than being left on the street. Wapello St (used by emergency vehicles and others as a through street to Lake) is already crowded with parked vehicles.

Thank You for your consideration.

Please feel free to contact me with any comments or questions.

Vickie Thompson 626-794-8697 80 Wapello St November 3, 2015

Adolph and Kim LaBomme 3296 Laurice Ave Altadena, CA 91001

Project Number: R2015-00201-(5)

CPÚ: 201400171

I support the construction project to build a second unit at 91 Wapello St, Altadena, CA, as it will continue to improve the look and value of the neighborhood.

Sincerely,

Adolph LaBomme Kim LaBomme (626)794-1924